

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN M. NOLAN, JR. : CIVIL ACTION

894 Marker Drive :

West Chester, Pennsylvania 19382-5507 :

:

Plaintiff, :

:

v. : NO. 02- 2805

:

READING BLUE MOUNTAIN & :

**NORTHERN
RAILROAD
COMPANY,
:**

a Pennsylvania Corporation, :

One Railroad Boulevard :

Port Clinton, Pennsylvania 19549 :

:

Defendant. : TRIAL BY JURY DEMANDED

REQUEST FOR ENTRY OF DEFAULT JUDGMENT**PURSUANT TO RULE 55(a) OF THE FEDERAL RULES OF CIVIL PROCEDURE**

Pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, Plaintiff John M. Nolan, Jr. hereby Requests Entry of Default Judgment against Defendant Reading Blue Mountain & Northern Railroad Company. In support of this Request, Plaintiff alleges the following:

1. Defendant Reading Blue Mountain & Northern Railroad Company was properly

served with a Verified Complaint on Friday, August 16, 2002.
2. The time for Defendant to file an Answer to the Verified Complaint has expired.
3. As of the date of the filing of this Request for Entry of Default Judgment,

Defendant has not filed an Answer, Motion to Dismiss, Motion for Summary Judgment, or other defense.

WHEREFORE, Plaintiff John M. Nolan, Jr. Requests Entry of Default Judgment against Defendant Reading Blue Mountain & Northern Railroad Company for want of Answer or other defense.

JOHN M. LaROSA

Pa. S.C. No. 85339

Two East Seventh Street, Suite 302

Wilmington, Delaware 19801-3707

(302) 888-1290 (telephone)

(302) 655-9329 (fax)

Attorney for Plaintiff

Dated: September ___, 2002

CERTIFICATE OF SERVICE

I, John M. LaRosa, being a member of the Bar of this Court, do hereby certify that on September ____, 2002, I caused two (2) copies of the foregoing **REQUEST FOR ENTRY OF DEFAULT JUDGMENT PURSUANT TO RULE 55(a) OF THE FEDERAL RULES OF CIVIL PROCEDURE** to be sent via first class U.S. mail, postage prepaid to the following:

Andrew M. Muller, Jr.

Chief Executive Officer and Chairman

Reading Blue Mountain & Northern Railroad Company

One Railroad Boulevard

Port Clinton, Pennsylvania 19549

_____**JOHN M. LaROSA**

cc: John M. Nolan, Jr.

Attorney Files/John's Files/Client Files/Nolan/Pleadings/Request for Default Judgment